UNITED
NATIONS

CCPR

International covenant
on civil and
political rights

Distr.
GENERAL

CCPR/C/69/L/KGZ
25 April 2000

Original: ENGLISH

HUMAN RIGHTS COMMITTEE
Sixth-ninth session

Lists of issues to be taken up in connection with the consideration of the initial report of Kyrgyzstan
(CCPR/C/113/Add.1)

Adopted by the Human Rights Committee on 30 March 2000

GE.00-41642 (E)

Original: ENGLISH
13 April 2000

List of issues to be taken up in connection with the consideration of the initial report of Kyrgyzstan
(CCPR/C/113/Add.1)

Constitutional and legal framework within which the Covenant and the Optional Protocol are implemented (art. 2)

1. What measures are being undertaken to implement the Covenant in the domestic legislation? Please clarify whether the Covenant forms an integral part of Kyrgyz law and is directly applicable (para. 64 of the report), or whether it cannot be applied by the courts (para. 120).

2. What are the powers and functions of the Human Rights Commission established in July 1997 (para. 54); what are the functions of the Human Rights Committee operating in the Legislative Assembly (para. 27) and what is the relationship between the two institutions? What are the functions of the State Commission for the Family, Women and Young People (paras. 55 and 130)? Has the post of Commissioner for Human Rights (para. 533) been established?

State of emergency (art. 4)

3. Has a state of emergency been declared on the territory of the Republic after completion of the report? If so, what were the consequences for the enjoyment of Covenant rights?

Gender equality (arts. 3 and 7)

4. What laws and programmes exist to address the problem of violence against women, including domestic violence and rape? Are these crimes being investigated, responsible persons prosecuted and victims compensated? Please provide relevant statistics.

5. Has Parliament acted on the recommendations regarding the review of gender legislation by the State Commission on Family, Women and Youth Issues (para. 130)?

6. What is being done to stop trafficking in women and forced prostitution? Are inter-State cooperation programmes and agreements being worked out in this respect?

7. What is being done to increase the participation of women in civil society, for example to address their low representation in Parliament and Government?

Right to life; prevention of torture and degrading treatment; liberty and security of the person (arts. 6, 7, 9 and 10)

8. Has the moratorium on executions, which came into force in December 1998 for a period of two years, been extended? Has it led to the abolition of the death penalty? Please indicate which crimes still carry the death penalty in addition to the ones indicated in paragraphs 181 and 182.

9. Please provide information about measures adopted to combat the practice of torture and ill-treatment of suspects by law enforcement officers, to investigate allegations and to prosecute offenders (para. 225). Can victims of such practices obtain effective redress, including compensation for unlawful detention?

10. How is article 9, paragraph 3, second sentence, of the Covenant implemented in practice, especially with regard to prolonged pre-trial detention?

11. What policies are envisaged to address the problem of prison conditions, including lack of hygiene and medical treatment, inadequate nourishment and overcrowding?

Freedom of movement (art. 12)

12. Please explain the compatibility of the need for governmental permission (propiska) to work and settle in certain areas of the country with the requirements of article 12, paragraphs 1 and 3 (paras. 332-335 and 338)?

Right to a fair trial (art. 14)

13. What efforts are being undertaken to ensure the independence of the judiciary (paras. 384, 532)?

14. Are decisions to arrest, detain or prosecute persons taken under the control of an independent judicial authority?

15. Please explain in what manner the position of defence counsel has been changed under the new Penal Code and whether it has been weakened in relation to that of prosecution officers and other investigating bodies?

Freedom of expression, assembly and participation in public affairs (arts. 19, 21 and 25)

16. How many criminal libel suits against newspapers and journalists have been filed during the past five years? How many newspapers have been closed and what grounds have been adduced?

17. Please explain the law and practice with regard to the regime of control of demonstrations and meetings. How many human rights activists of the Kyrgyz Committee for Human Rights have been detained? Have they been denied the right to hold peaceful demonstrations?

18. What is the legal regime governing the registration of NGOs, in particular human rights NGOs? Under which conditions can the registration of NGOs be cancelled, and what are the remedies available in such cases?

Participation in the conduct of public affairs (art. 25)

19. Please provide information on legal proceedings instituted against a number of opposition candidates, including arrest of the leader of the People's Party and refusal to register two opposition parties in the context of the 2000 electoral campaign.

Protection of children (arts. 24,8)

20. What measures have been taken to address the serious problems of cruelty to children, including their abuse and neglect (para. 223)?

21. What has been done to eradicate the practice of forced labour of children?

Equality before the law and the rights of people belonging to minorities (arts. 25, 26 and 27)

22. What legal and other measures have been adopted to prevent discrimination in obtaining employment and promotion in employment, and housing, inter alia, against citizens on the basis of ethnic origin or language (para. 517)?

23. Has the Bill on the protection of national minority rights been enacted? How does the law ensure that members of minorities fully enjoy their rights to vote and stand for election?

Dissemination of information relating to the Covenant (art. 2)

24. Please indicate the steps taken to disseminate information on the submission of reports and their consideration by the Committee. Furthermore, please provide information on education and training on the Covenant and its Optional Protocol provided to government officials, school teachers, judges, lawyers and police officials.